

UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

In re:	*	Case No. 18-30025 G
Charles J. Gbur, Jr	*	HON. JOHN P. GUSTAFSON
Carolyn S. Gbur	*	
Debtor(s)	*	<b><u>MOTION TO DISMISS</u></b>

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Now comes Elizabeth A. Vaughan, the Standing Chapter 13 Trustee, and moves the Court for an order dismissing this case for the following reasons:

1. This case was filed on January 4, 2018, and is set for confirmation hearing on July 9, 2018.
2. Per 11 USC §109(e), a Debtor is ineligible to file a case under the Bankruptcy Code, if the secured debt is in excess of \$1,184,000.00.
3. Pursuant to the claims filed in this case to date, the secured debt is approximately \$1,282,048.63.

WHEREFORE, the Trustee hereby requests that this case be dismissed as it appears these Debtors are not eligible to file a case under the Bankruptcy Code, due to the fact that the secured debt exceeds the debt limit set by 11 USC §109(e).

Dated: April 18, 2018

/s/ Elizabeth A. Vaughan  
Standing Chapter 13 Trustee  
316 N. Michigan St., Suite 501  
Toledo, OH 43604

## CERTIFICATE OF SERVICE

I certify that on April 18, 2018, a true and correct copy of the Motion to Dismiss, was served:

Via the Court's Electronic Case Filing System on these entities and individuals who are listed on the Court's Electronic Mail Notice List:

Deborah K. Spsychalski, Attorney for Debtors at [dk\\_spsychalski@yahoo.com](mailto:dk_spsychalski@yahoo.com)

Office of the United States Trustee @ [ustp.region09@usdoj.gov](mailto:ustp.region09@usdoj.gov)

And, by regular U. S. mail, postage prepaid, on:

Charles/Carolyn Gbur, Jr.  
3727 River Road  
Toledo, OH 43614

/s/ Elizabeth A. Vaughan  
Standing Chapter 13 Trustee